

**CERTIFIED FOR PARTIAL PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

ROBERT GARBER,

Petitioner,

v.

SUPERIOR COURT OF  
LOS ANGELES COUNTY,

Respondent;

THE PEOPLE,

Real Party in Interest.

B212766

(Los Angeles County  
Super. Ct. No. BR045632)

ORDER MODIFYING OPINION  
[CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on May 13, 2010, be modified as follows:

1. On page 1, change “Petition denied” to “Petition granted in part and denied in part.”

2. On page 2, delete the second paragraph and replace with the following:

The only relief to which Garber is entitled is to have his sentence modified.

In the published portion of the opinion, we address Garber’s contention that because he lived in his trailer, the jury should have been instructed on the statutory exemptions to sections 12025 and 12031, which permit the possession of loaded and concealed firearms in “places of residence.”

We conclude there was no instructional error. The statutory place of residence exemptions did not apply in this case. At the time he committed these offenses, Garber was not using his mobile home for residential purposes and, therefore, he was not entitled to have the jury instructed on a “place of residence” defense.

3. On page 9, in the second to last paragraph, replace the word “Vehicle” with the word “Penal.”

4. On page 27, add as the first sentence of the Disposition “The order to show cause is discharged.”

[This modification changes the judgment.]